

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY**

WESTSIDE NEIGHBORHOOD  
ASSOCIATION, et. al.,

Plaintiffs,

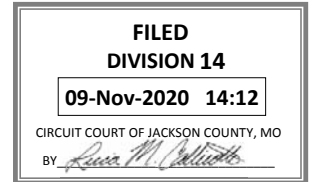
vs.

GAIL MCCANN BEATTY, et. al.

Defendants.

Case No. 1916-CV33530

Division 14



**AMENDED ORDER/JUDGMENT**

NOW, on this 9th day of November 2020, this Court takes up Defendants' Motion to Dismiss Plaintiffs' Petition. After hearing arguments on June 4, 2020, and following a review of the relevant points and authorities, this Court finds and concludes that Plaintiffs have no standing as they failed to exhaust requisite administrative remedies. This case is about the 2019 Jackson County, Missouri tax assessment. Though Plaintiffs phrased their claim as a Federal Housing Act disparate-impact claim, Plaintiffs ultimately are challenging the validity and methodology of the property tax assessments. As such, this Court has no subject-matter jurisdiction.

Further, this Court finds and concludes that alleging a constitutional claim does not abolish the requirement to exhaust the administrative remedies in this case. Owners of property must pursue their administrative remedies as set out in RSM § 138.430.1 before petitioning the circuit court. Under RSMO § 138.430.1, the State Tax Commission is required to "correct any assessment shown to be unlawful, unfair, improper, arbitrary, or capricious."

This Court also finds and concludes that Plaintiffs have no standing to bring this claim since they are organizations, not owners of property. Missouri law does not allow for a third party to challenge another individual's property tax assessment. *State ex rel. Kan. City Power & Light Co. v. McBeth*, 322 S.W.3d 525, 529 (Mo. banc 2010).

**IT IS THEREFORE ORDERED** that Defendants' Motion to Dismiss is GRANTED. Plaintiff's Petition is DISMISSED. Costs against Plaintiffs.

**IT IS SO ORDERED.**

November 9, 2020

DATE



JOHN M. TORRENCE, CIRCUIT JUDGE

**Certificate of Service**

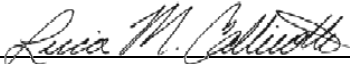
This is to certify that a copy of the foregoing was automatically forwarded to the attorneys of record through the Court's eFiling system.

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